

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY**

**FIRST SET OF INFORMATION REQUESTS OF
MASSACHUSETTS DEVELOPMENT FINANCE AGENCY**

D.T.E. 03-40

Pursuant to 220 C.M.R. 1.06(b)(c), Massachusetts Development Finance Agency (“MDFA”) submits to Boston Gas Company d/b/a Keyspan Energy New England (“Boston Gas” or the “Company”) the following information requests.

DEFINITIONS AND INSTRUCTIONS

1. Documents and writings produced pursuant to these requests should identify the individual request and the witness responsible for the request to which they are responsive.
2. The term “document” and “documents” includes all materials, as described herein, which are in your possession, custody or control, regardless of the identity of the preparer and the present location of the document. The term “document” also includes, but is not limited to, correspondence, financial records, business records, reports, books, pamphlets, periodicals, newspapers and magazines and other publications and clippings therefrom, price lists, advertisements, contracts and other agreements and memoranda of understanding, promissory notes, guarantees and other instruments, diaries, blueprints, papers, notes, memoranda, prints, sketches, indices, tapes, video tapes, data processing cards, and all other writings, drawings, graphs, charts, photographs, phono-records, other data compilations from which information can be obtained, any other tangible item upon which information is recorded, and any drafts of any of the foregoing.
3. The term “communication” means any discussion, conversation, negotiation, correspondence, publication, broadcast, conference, meeting, contact or other disclosure, transfer or exchange of information, either written or oral, and includes each document that in any manner records or memorializes such communication.
4. The term “relating to” any given subject means constituting, ascertaining, embodying, reflecting, identifying, stating, concerning, mentioning, referring to, dealing with or in any way pertaining to the subject.
5. The term “or” or means “and”. The term “and” as used herein also means “or”. The terms “and” and “or” shall be construed disjunctively or conjunctively so as

to bring within the scope of this set of discovery requests all matters that might otherwise be construed to be outside its scope.

6. The terms “each”, “all” or “any” also mean every.
7. The terms “person” or “persons” include any individual or group of individuals, corporation, partnership, joint venture, firm, association, proprietorship, agency, board, authority, commission or other entity.
8. In answering these requests, words used in the singular number shall include the plural number and words used in the plural number shall refer to the singular number as well. Gender is to be wholly disregarded, the neuter referring as well to the male and female and the male referring to the female and neuter.
9. If in answering the requests, you encounter any ambiguity in a definition or instruction, or within any of the requests for production of documents, please set forth the matter deemed ambiguous, and set forth the construction chosen or used in answering.
10. In the event that you object to producing any documents requested, state the precise ground(s) for the objection separately as to each discovery request.
11. With respect to any document responsive to the requests that is withheld from production on the ground that the document or any of its contents is privileged or otherwise not subject to production, please provide a statement which describes each such document and state with respect to each such document:
 - (i) its author;
 - (ii) its date;
 - (iii) a generic description of the document (i.e., letter report, memorandum);
 - (iv) the subject matter of the document; and
 - (v) the privilege asserted or other alleged ground for non-production of the document.
12. As to each part or parts of these requests to which you state that you are incapable of answering, state separately and precisely why you are incapable of producing the document, and state precisely what attempts you have made to obtain the document(s) requested and the results of your efforts.
13. If any responsive document was in your possession, custody or control but has been disposed of, lost, discarded or destroyed, please identify each such document, specifying its author, addressee, date, subject matter, and describe the contents of the document.
14. Terms not defined herein shall be given their ordinary meaning.

15. The terms “Boston Gas or Company” shall refer to the applicant before the D.T.E. in this proceeding or any of its officers, agents, attorneys, parent or subsidiary corporations, general or limited partners, shareholders or directors.
16. The term “Department” shall refer to the Department of Telecommunications and Energy.
17. These requests shall be deemed continuing so as to require further supplemental responses if Boston Gas or its witness receives or generates additional information within the scope of these requests between the time of the original response and the close of the record in this proceeding.